

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

February 22, 2005
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Noble, and Councilmembers Balducci, Chelminiak, Davidson, Degginger and Lee

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:08 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers were present. Mr. Lee led the flag salute.

(a) Proclaiming March as Red Cross Month

Mayor Marshall read a proclamation recognizing March as Red Cross Month in Bellevue. Local representatives of the American Red Cross were present to receive the proclamation.

3. Communications: Written and Oral

- (a) Damian Golden reviewed crime statistics for Bothell and Woodinville during the time periods that each community hosted a Tent City for homeless people. He submitted the results of his research in writing and noted the increase in vehicle hit and runs, auto thefts, and burglaries during the tent city stays compared to the previous year.
- (b) Irene Raskin explained that she is part owner of an eight-office mental health clinic at 11016 NE 2nd Place in downtown Bellevue. The property is immediately adjacent to one of the potential transit layover sites (Site #3), which was opposed by a previous speaker before the Council on February 7. A developer is interested in purchasing five small properties at this location and building an apartment and retail complex. She noted that property owners in the area had not been informed by the City or Sound Transit about plans for a transit layover space but instead found out from the developer.

Responding to Mayor Marshall, City Manager Steve Sarkozy confirmed that Metro is considering transit layover sites in downtown Bellevue. Staff will prepare a response to Ms. Raskin and copy Council on the response.

- (c) Scott Robertson, Somerset Community Association, said residents do not support the concept of temporary encampments as a solution for homelessness. They support permanent solutions for Eastside residents who can be helped by Eastside-based service providers. Residents are concerned about security issues and crime activity associated with Tent City tenants. Mr. Robertson said many Tent City tenants are from out of state and they are not required to prove their identity. He asked Council to consider the following modifications to the City's temporary use permit requirements: 1) disallow temporary encampments, or limit them to a maximum of seven days, and 2) designate locations in commercial and industrial areas with adequate services and designated buffers from schools and day care facilities.
 - (d) Earl Caditz, co-owner of Newport Children's School in Bellevue, expressed concern about the safety and well-being of his students in relation to the proposed Tent City location. He noted Bothell Police reports indicating Tent City residents who were felons, sex offenders, and drug users. He feels the City is responsible for protecting citizens. He discouraged Tent City locations near schools or day care facilities.
4. Reports of Community Councils, Boards and Commissions: None.
5. Report of the City Manager
- (a) Management Brief regarding Critical Areas Process

City Manager Steve Sarkozy asked staff to provide an update on the Critical Areas Update. Kate Berens, Legal Planner, noted that the Environmental Impact Statement (EIS) process is underway and a draft EIS is anticipated in late March. One alternative to be studied is the City Program Alternative, which is an attempt to protect critical areas through City programs rather than through the traditional regulatory approach. Ms. Berens said the final preferred alternative could contain a combination of program and regulatory elements.

Responding to Mayor Marshall, Ms. Berens said critical areas information is updated on the City's web site. Outreach activities and open house meetings will be scheduled upon completion of the draft EIS.

- (b) Management Brief regarding Scope and Value Engineering Tracking for the New City Hall

Mr. Sarkozy noted packet materials (beginning on Page 5-3) regarding proposed reductions in scope and value engineering adjustments for the New City Hall project.

Planning and Community Development Director Matt Terry requested Council direction regarding a proposal to delete the sunshades and window washing gantry on the southwest side

of the concourse from the New City Building project, for a savings of \$160,000. Desk packet materials provide detailed information regarding this item. Fabrication of the sunshades is scheduled to begin this week.

Councilmember Lee expressed support for the proposed reduction. Responding to Mr. Lee, Mr. Terry said staff and the project team are continuing to review approximately 30 additional items for reducing the project scope or implementing value engineering savings.

- ➡ Deputy Mayor Noble moved to approve deletion of the sunshades and window washing gantry on the southwest side of the New City Building from the project and budget scope. Mr. Lee seconded the motion.
- ➡ The motion to approve deletion of the sunshades and window washing gantry from the New City Building project and budget scope carried by a vote of 7-0.
- (c) Management Brief responding to request from Siri Betcher to waive deadline for submitting a Comprehensive Plan Amendment (CPA) Docket Suggestion

Emil King, Planner, reviewed Siri Betcher's request that Council waive the deadline for submitting a Comprehensive Plan Amendment (CPA) docket suggestion. He explained that staff has started its geographic scoping process for applications submitted before the deadline of January 31. Staff recommends that Council not initiate Ms. Betcher's suggestion into the 2005 CPA process.

Responding to Councilmember Balducci, Mr. King said staff inform citizens about the December/January period for submitting CPA applications when inquiries are received. The application period is specified in the Land Use Code and on the City's Planning Division and Comprehensive Plan web pages. An early December press release announced the period for submitting CPA docket suggestions.

Responding to Mr. Lee, Mr. King said he checked with the staff person who assisted Ms. Betcher on December 10, 2004. At that time, she was interested in doing a short plat and boundary line adjustment. The idea of a CPA and rezone request was not mentioned by Ms. Betcher. When she talked with Mr. King on February 11, 2005, Ms. Betcher became interested in the CPA approach. Mr. King explained his concern that if Ms. Betcher rushed to complete her application now, it could be denied and she would have to wait three years to resubmit instead of waiting until next year and having more time to properly prepare a complete application by working with City staff.

Responding to Mr. Chelminiak, Mr. King said it is likely staff's geographic scoping of Ms. Betcher's request would have led to the involvement of additional property owners. Mr. King said it typically takes one to two months for an applicant to develop a full CPA application.

- (d) Management Brief regarding Surrey Downs and Coal Creek Park Property Transfers

Jerome Roaché, Assistant City Attorney, recalled that the Surrey Downs and Coal Creek park properties are to be transferred to the City from King County as part of the Newport Yacht Club settlement agreement. The City will continue to lease district court facilities to King County until the future of Bellevue municipal court services is determined. The current draft of the transfer agreement states that the transfer of properties will take place on March 1, 2005, or when the EPA approves the clean-up of the day care wing of the court facility. Mr. Roaché said EPA approval is not anticipated by March 1. However, staff is scheduled to discuss the court lease agreement with King County next week. Staff will bring the documents to Council for review upon completion of negotiations within the next 45 to 60 days.

6. Council Business

Dr. Davidson participated in interviewing candidates for the Environmental Services Commission and attended the Association of Washington Cities (AWC) Legislative Action conference.

Ms. Balducci attended the AWC conference and meetings of the Puget Sound Regional Council (PSRC) Transportation Policy Board and Eastside Transportation Partnership.

Mr. Degginger attended Cascade Water Alliance's annual meeting, the PSRC Growth Management Policy Board meeting, and Bellevue Youth Link's Gumbo Night. He toured the New City Hall construction site.

Mr. Chelminiak attended Youth Link's Gumbo Night, the Park Board meeting and a community meeting regarding the design for Ashwood Park/Plaza, and a Spiritridge community meeting along with Deputy Mayor Noble and Councilmember Lee.

Mr. Lee attended a Starbucks-sponsored tsunami relief function at Kelsey Creek Shopping Center, Commute Trip Reduction awards ceremony, New City Hall tour, Sunset Community Association's 10-year anniversary meeting, Youth Link's Gumbo Night, and the Senior Volunteers recognition event. Mr. Lee and Mr. Chelminiak attended the Eastside Economic Partnership Roundtable Meeting.

Deputy Mayor Noble attended community meetings in the Spiritridge and Bridle Trails neighborhoods.

Mayor Marshall attended a dinner last week with fellow Councilmembers and legislators from the 41st and 48th districts and participated in the New City Hall tour.

7. Approval of the Agenda

➡ Deputy Mayor Noble moved to approve the agenda, and Ms. Balducci seconded the motion.

➡ The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

- ➡ Deputy Mayor Noble moved to approve the Consent Calendar, with the exception of item 8(d), which Mr. Degginger asked to be pulled. Mr. Chelminiak seconded the motion.
- ➡ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
 - (a) Minutes of February 2, 2005 Special Meeting (Executive Session)
Minutes of February 7, 2005 Study Session
Minutes of February 7, 2005 Regular Session
Minutes of February 14, 2005 Extended Study Session
 - (b) Motion to award Bid No. 05-01 to Crescent Sheet Metal Inc. in the amount of \$346,310.40, including Washington state sales tax, as the lowest responsive and responsible bidder to complete rooftop HVAC Equipment Replacements at the Bellevue Service Center.
 - (c) Motion to award Bid No. 05-04 to Wayne's Roofing in the amount of \$743,631.68, including Washington state sales tax, as the lowest responsive and responsible bidder, to complete Roofing Upgrades at the Bellevue Service Center.
 - (e) Resolution No. 7145 authorizing execution of a Professional Services Agreement with HDR Engineering Inc. in the amount of \$93,300 to provide technical assistance to the City's Water System Plan Update.

Item for Council Discussion/Staff Research:

- (d) Resolution No. 7144 authorizing execution of a Professional Services Agreement with Protocol Property Management/HPMI in an amount not to exceed a total of \$120,000 over a four-year period for property management services at City rental properties.

Mr. Degginger questioned: 1) whether the City's contracting guidelines recommend contracts of three years or less, and 2) whether City staff could perform the property management services.

Mr. Sarkozy suggested postponing this item for one to two weeks to allow staff to research and respond to the issues.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business: None.

13. Continued Oral Communications

- (a) Mike Dilley, a member of the Holy Cross Lutheran Church Council, said the Church Council is split regarding the Tent City proposal. He urged the City, King County, and the State of Washington to address the problem of homeless individuals, noting that Chelan County provides housing for workers at a county park. He questioned why SHARE/WHEEL is not involved in cooperative activities with other social service organizations. He said SHARE/WHEEL will not respond to questions regarding the people it serves or the organization's financial resources.
- (b) Maria Golden is concerned about the lack of background checks for Tent City occupants. A Tent City 4 security guard commented on Dave Ross' show that occupants are asked their name but no identification is required. She feels this is unreliable and suggested fingerprinting or another method for verifying identity. She requested more information regarding crime statistics for Bothell and Woodinville during previous Tent City sitings.
- (c) Michelle Yousseff, a Kirkland resident, said regulations do not allow groups to behave in the irresponsible manner exhibited by SHARE/WHEEL, which has moved for the fourth time without a permit. She encouraged Bellevue's temporary use permit process to incorporate public involvement. She explained that when SHARE/WHEEL appeared before Judge Steven Scott for the third time in November 2004, the Judge maintained that the law presumes harm from the violation of zoning codes and that SHARE/WHEEL does not have the right to continue moving to communities without obtaining legal permits.

Mayor Marshall asked staff to provide Council with information on the court case referenced by the last speaker.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:19 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich
City Clerk

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